

**AMENDMENTS TO THE CLAIMS**

The listing of claims will replace without prejudice, all prior versions, and listings, of claims in the application.

**Claim 1 (currently amended):** An athletic shoe comprising:

- a) a sole;
- b) an upper having a tongue and lacing means on said upper for lacing the shoe, said upper being attached to said sole; and
- c) said tongue comprising a bladder of an open celled foam material on the interior thereof sealed from the atmosphere except for a ~~valving means~~ valve on said tongue communicating the interior of said bladder with the atmosphere, said ~~valving means~~ valve being adapted to selectively draw air from the atmosphere into said interior when opened to allow expansion of the foam material in said interior, then release air from said interior to the atmosphere when said bladder is squeezed releasing air from said interior out of said ~~valving means~~ valve, whereby said tongue may be inflated and said lacing means laced up against said tongue pressing said tongue against the foot of the wearer of the shoe, then said tongue may be slightly deflated to conform said tongue to the foot of the wearer of the shoe.

**Claim 2 (original):** The shoe of claim 1 wherein said bladder has an exterior layer comprised of upper and lower portions of flexible material sewn together about their periphery.

**Claim 3 (original):** The shoe of claim 2 wherein said interior is of foamed urethane material.

**Claim 4 (original):** The shoe of claim 1 wherein said interior is of foamed urethane material.

**Claim 5 (currently amended):** The shoe of claim 1 wherein said ~~valving means~~ valve includes a first outer domed portion on the exterior of said tongue, a plurality of spaced air holes through said domed portion fluidly communicating the interior of said tongue with the atmosphere.

**Claim 6 (currently amended):** The shoe of claim 5 wherein said ~~valving means~~ valve includes said first outer domed portion having a downwardly extending cylindrical skirt portion, a first

valve element having an upper protuberance received within said skirt portion and reciprocal therein and an integral lower portion, a second valve element secured to both said domed portion and said exterior of said tongue.

**Claim 7 (original):** The shoe of claim 6 wherein said second valve element includes a downwardly extending cylindrical skirt portion extending into the interior of said bladder, said second valve element having an annular flange surrounding an opening through which the lower portion of said first valve element extends.

**Claim 8 (original):** The shoe of claim 7 wherein the annular flange of said second valve element extends into an annular notch in the lower portion of said first valve element and is movable up and down therein.

**Claim 9 (original):** The shoe of claim 8 wherein said second valve element has an annular notch therein on the upper surface thereof inwardly of said place of securement of said second valve element to the exterior of said tongue.

**Claim 10 (original):** The shoe of claim 9 including an annular ring disposed in said notch spaced from said second valve element.

**Claim 11 (original):** An athletic shoe comprising:

- a) a sole;
- b) an upper having a tongue and laces on said upper for lacing the shoe, said upper being attached to said sole; and
- c) said tongue comprising a bladder of an open celled foam material on the interior thereof sealed from the atmosphere except for a valve on said tongue communicating the interior of said bladder with the atmosphere, said valve being adapted to selectively draw air from the atmosphere into said interior when opened to expand the foam material in said interior, then release air from said interior to the atmosphere when said bladder is squeezed releasing air from said interior out of said valve, whereby said tongue may be inflated and said laces laced up against said tongue pressing said tongue against the foot of the wearer of the shoe, then said

tongue may be slightly deflated by opening the valve to conform said tongue to the foot of the wearer of the shoe.

**Claim 12 (original):** An athletic shoe comprising:

- a) a sole;
- b) an upper having a tongue and laces on said upper for lacing the shoe, said upper being attached to said sole; and
- c) said tongue comprising a bladder of an open celled foam material on the interior thereof sealed from the atmosphere except for a valve on said tongue communicating the interior of said bladder with the atmosphere, said valve being adapted to selectively draw air from the atmosphere into said interior when opened to expand the foam material in said interior, then release air from said interior to the atmosphere when said bladder is squeezed releasing air from said interior out of said valve, whereby said tongue may be partially deflated and then said laces laced up against said tongue pressing said tongue against the foot of the wearer of the shoe, then said tongue may be slightly inflated by opening the valve allowing air to enter to conform said tongue to the foot of the wearer of the shoe.

**Claim 13 (original):** An athletic shoe comprising:

- a) a sole;
- b) an upper having a tongue and a closing mechanism on said upper for closing the shoe, said upper being attached to said sole; and
- c) said tongue comprising a bladder of an open celled foam material on the interior thereof sealed from the atmosphere except for a valve on said tongue communicating the interior of said bladder with the atmosphere, said valve being adapted to selectively draw air from the atmosphere into said interior when opened to expand the foam material in said interior, then release air from said interior to the atmosphere when said bladder is squeezed releasing air from said interior out of said valve, whereby said tongue may be inflated and said closing mechanism closed against said tongue pressing said tongue against the foot of the wearer of the shoe, then said tongue may be slightly deflated by opening the valve to conform said tongue to the foot of the wearer of the shoe.

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Docket No. 53221-030000**Claim 14 (original):** An athletic shoe comprising:

- a) a sole;
- b) an upper having a tongue and a closing mechanism on said upper for closing the shoe, said upper being attached to said sole; and
- c) said tongue comprising a bladder of an open celled foam material on the interior thereof sealed from the atmosphere except for a valve on said tongue communicating the interior of said bladder with the atmosphere, said valve being adapted to selectively draw air from the atmosphere into said interior when opened to expand the foam material in said interior, then release air from said interior to the atmosphere when said bladder is squeezed releasing air from said interior out of said valve, whereby said tongue may be partially deflated and then said closing mechanism closed against said tongue pressing said tongue against the foot of the wearer of the shoe, then said tongue may be slightly inflated by opening the valve allowing air to enter to conform said tongue to the foot of the wearer of the shoe.

**Claim 15 (new):** A shoe tongue comprising:

- a) a bladder; and
- b) a valve located in the bladder,
  - the bladder having a bladder interior portion and a bladder exterior portion, the bladder exterior portion surrounding the bladder interior portion and sealing the bladder interior portion from atmosphere, and
  - the valve having a valve external portion and a valve internal portion, the valve external portion located on the bladder exterior portion and the valve internal portion located in the bladder interior portion, the valve connecting the bladder with the atmosphere, the valve having an intake operating mode and a release operating mode,
  - wherein
  - in the intake operating mode, the valve selectively draws air from atmosphere into said bladder interior portion through the valve interior portion, upon application of a pressure to the valve external portion, and

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in the release operating mode, the valve releases air from said bladder interior portion to the atmosphere through the valve external portion, upon application of a pressure to the bladder exterior portion.